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May 11, 2018

By ECF

The Honorable P. Kevin Castel
U.S. District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Cunningham v. Cornell University*, No. 1:16-cv-6525-PKC (S.D.N.Y.)

Dear Judge Castel:

On April 6, 2018, Plaintiffs submitted a pre-motion letter in anticipation of their motion for class certification (Dkt. 145) proposing the following briefing schedule:

May 2, 2018: Plaintiffs' motion for class certification
June 13, 2018: Defendants' opposition
July 13, 2018: Plaintiffs' reply

Defendants indicated their agreement with that proposed schedule in their response letters. Dkts. 146, 147. This briefing schedule comports with this Court's Order of December 4, 2017 (Dkt. 116), which sets the close of fact discovery for August 3, 2018, and the close of expert discovery for October 5, 2018. Consistent with this schedule, defendants' counsel completed the named plaintiff depositions on May 10, 2018.

Defendant CapFinancial Partners, LLC, d/b/a CAPTRUST Financial Advisors ("CAPTRUST") respectfully requests that the Court adopt the schedule for the class certification motion as set forth by Plaintiffs and agreed by Defendants.

Counsel for CAPTRUST has contacted counsel for Cornell and counsel for Plaintiffs, neither of whom oppose this request.



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May 11, 2018
Page 2

The next case management conference is scheduled for September 7, 2018 at 10:30 am. Dkt. 116 ¶ 15.

Very truly yours,

/s/ Joel S. Feldman

Joel S. Feldman

cc: Counsel of record (by ECF)